
Delegated report Officer: Christina Farrer

Application ref. DMPA/2019/0933

The erection of a link extension and the conversion of the existing garage to living accommodation at 19 THE BURROWS, NEWHALL, SWADLINCOTE, DE11 0RL

Valid date: 01/08/2019

Consults expired: 07/09/2019

EIA development? No

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

None.

Responses to consultations and publicity

None.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- 2016 Local Plan Part 1: S2, SD1, SD3, BNE1, BNE4, INF2
- 2017 Local Plan Part 2: H27, BNE5, BNE7

The relevant local guidance is:

- Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the document submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue(s) central to the determination of this application is/are:

- Design and the visual amenities of the area;
- Amenity of neighbours;
- Parking and highway safety; and
- Impact on existing trees.

Planning assessment

Design and the visual amenities of the area

Policy BNE1 highlights the importance of new development being visually attractive, appropriate and of

a high standard of architectural quality. Policy H27 specifically relates to new residential extensions and householder development stating that such development 'will be permitted provided that the proposals: are of a scale and character in keeping with the property, and the general character of the area'. The Design SPD at Appendix A provides more detailed guidance on matters of scale, character and form, position and materials.

The proposal would incorporate the existing detached flat roof garage by way of modest single storey, flat roof side and rear extensions. The garage door would be changed to a window with brickwork underneath. The scheme would integrate acceptably with the existing dwelling and cause no harm to the visual amenities of the area subject to the use of matching brickwork, which is stated within the application and can be secured by condition.

In conclusion, subject to the aforementioned condition the proposal would suitably comply with the relevant Local Plan Policies and the Design SPD in terms design and visual amenity.

Amenity of neighbours

Policies SD1, BNE1 and H27 seek to protect the privacy and amenity of existing and future occupiers, with specific 'Distance Guidance' contained within the Design SPD.

The limited height of the extension and the position of windows relative to existing boundaries, neighbouring dwellings and gardens is such that the scheme would have no adverse impact on the amenity of neighbours in terms of light to windows, privacy or any overbearing effect.

In conclusion, it is considered that the proposals suitably comply with the relevant Local Plan Policies and the Design SPD in terms of neighbours' amenity.

Parking and highway safety

Policy INF2 requires that appropriate provision is made for safe and convenient access, and that parking provision should have regard to parking standards. The Design SPD strongly encourages the provision of adequate parking spaces per dwelling, and recommends that two spaces be provided for homes of three bedrooms or more.

The dwelling has 3 bedrooms and currently benefits from the detached garage and the drive in front as space for the parking of two cars. To compensate for the loss of the garage space the scheme includes the provision of an additional space on the frontage. This would involve the widening of the existing access dropped kerb. The provision and retention of this access and parking arrangements can be secured by condition and informatives can mention the need to extend the existing dropped kerb (which requires consent from the Highway Authority) and the surfacing material/s and drainage.

Subject to the aforementioned conditions, the development would raise no highway safety issues, such that Local Plan Policy INF2 and the parking requirement of the Design SPD would be complied with.

Impact on existing trees

The development itself would have no impact on any existing trees, such that the requirements of Policies BNE4 and BNE7 would not be compromised.

Other issues

The site is located within an area identified as being at high risk from historic coal mining activity and, therefore, an informative advising the applicant of this matter will be attached.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	23/09/2019
Report agreed:	23/09/2019
Authorised officer:	Tony Sylvester
